



Wylie City Council

Minutes

City Council Meeting

Tuesday, January 12, 2016 – 6:00 p.m.
Wylie Municipal Complex – Council Chambers
300 Country Club Road, Bldg. 100
Wylie, TX 75098

CALL TO ORDER

Announce the presence of a Quorum.

Mayor Eric Hogue called the meeting to order at 6:00 p.m. City Secretary Ehrlich took roll call with the following City Council members present: Mayor Eric Hogue, Mayor pro tem Keith Stephens, Councilwoman Candy Arrington, Councilman Todd Wintters, Councilwoman Diane Culver, Councilman David Dahl, and Councilman William Whitney III.

Staff present were: City Manager, Mindy Manson; Assistant City Manager, Jeff Butters; Development Services Director, Renae Ollie; City Engineer, Chris Holsted; Finance Director, Linda Bantz; Fire Chief, Brent Parker; Police Chief, Anthony Henderson; City Secretary, Carole Ehrlich; Public Information Officer, Craig Kelly; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Councilman Dahl gave the Invocation and Councilwoman Culver led the Pledge of Allegiance.

PRESENTATIONS

- **Proposal for a Wylie Community Band** (*Mike Lipe, WISD Fine Arts Director*)

Mike Lipe addressed Council stating that he and other musicians were interested in starting a Wylie Community Band. He explained some of the benefits of the Community Band including performances at City sponsored events and community concerts.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Residents may address Council regarding an item that is not listed on the Agenda. Residents must fill out a non-agenda form prior to the meeting in order to speak. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

Chad Engbrock, representing the Wylie News, reminded those present to cast votes for the "Best of Wylie" to honor a variety of local businesses and service oriented individuals each year.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. **Consider, and act upon, approval of the Minutes of December 8, 2015 Regular Meeting of the Wylie City Council.** *(C. Ehrlich, City Secretary)*
- B. **Consider, and place on file, the City of Wylie Monthly Investment Report for November 30, 2015.** *(L. Bantz, Finance Director)*
- C. **Consider, and place on file, the City of Wylie Monthly Revenue and Expenditure Report for November 30, 2015.** *(L. Bantz, Finance Director)*
- D. **Consider, and place on file, the monthly Revenue and Expenditure Report for the Wylie Economic Development Corporation as of November 30, 2015.** *(S. Satterwhite, WEDC Director)*

Council Action

A motion was made by Mayor pro tem Stephens, seconded by Councilman Wintters to approve the Consent Agenda as presented. A vote was taken and the motion passed 7-0.

REGULAR AGENDA

- 1. **Hold the 1st Public Hearing for the annexation of an approximate 1.207 mile segment of Pleasant Valley Road from Elm Grove to the Dallas County Line. 2016-01A** *(R. Ollie, Development Services Director)*

Staff Comments

Development Services Director Renae Ollie addressed Council stating that this annexation is at the request of Dallas County and defined as Orphan Roads. Orphan Roads are all or part of a street or road right-of-way, which is outside the incorporated limits of a municipality (or municipalities), and the incorporated area of the municipality (or municipalities) abuts or extends into the right-of-way. These roadway segments have, in effect, been "orphaned" by the abutting city (or cities) that they serve in that they have been left unincorporated.

City Engineer Holsted explained Dallas County currently has \$1 million available to start the design of the reconstruction of Pleasant Valley Road from the county line south to Merritt Road in Sachse. They require the roadway to be annexed to move forward with the design. Dallas County also requires a 50% match which would be approximately \$500,000 from Wylie and \$500,000 from Sachse and an agreement will be presented at a future meeting. The project is expected to receive funding in the 2017 Dallas County call for projects, and construction funds would be available in 2021. Staff will be working with Dallas County and the City of Sachse to submit the project to NCTCOG for construction funding. Dallas County has agreed to perform some maintenance on the roadway prior to turning it over to Wylie.

Public Hearing

Public Hearing

Mayor Hogue opened the first of two public hearings on the annexation (2016-01A) asking anyone present wishing to address Council to come forward.

No one was present wishing to address Council during the public hearing.

Mayor Hogue closed the public hearing at 6:29 p.m.

Article 1, Section 3 of the Wylie City Charter authorizes the City Council to adjust boundaries. This annexation is being conducted in compliance with Sections 43.052(h)(2) and 43.063 of the Local Government Code.

Notice published for Public Hearings

December 23, 2015 and January 6, 2016

First Public Hearing

January 12, 2016

Second Public Hearing

January 26, 2016

Adoption of Ordinance

February 9, 2016

2. **Consider, and act upon, Resolution No. 2016-01(R) establishing a public newspaper of general circulation to be the "Official Newspaper" for the City of Wylie.** *(C. Ehrlich, City Secretary)*

Staff Comments

City Secretary Ehrlich addressed Council stating that Texas Local Government Code, §52.004 states that at the beginning of each fiscal year, municipalities must designate an official newspaper. This must be done as soon as practicable. The municipality shall contract with the newspaper designated by ordinance or resolution.

Ehrlich explained the Wylie News and the DMN NeighborsGo both meet the criteria for the Official Newspaper as provided by the statute. The NeighborsGo provides the most cost efficient legal notice fees while the Wylie News reports the highest circulation numbers.

Mayor Hogue announced Councilman William Whitney had filed the proper paperwork for a Conflict of Interest regarding this item and was abstaining from discussion and action on Item #2. Councilman Whitney left the chambers.

Mayor Hogue asked what publications were required to be published in the official newspaper. Ehrlich explained that all captions of ordinances, notices, including Zoning and Zoning Board of Adjustment notices and other matters required to be published by the charter, or by City ordinances, or by the constitution and laws of the State of Texas, shall be published in the official newspaper.

Mayor Hogue asked City Manager Manson to explain the circulation reports. Manson reported the reports were placed at the dais and show the circulation of the Dallas Morning News in the 75098 zip code going to all three counties. This is for the Wednesday and Sunday edition of the NeighborsGo. Also provided are the circulation numbers from the Wylie News including the statement of ownership management and circulation. She explained there was a question on the circulation numbers provided by the Wylie News which show both "enhanced" and subscriber numbers. Mayor Hogue asked what the enhanced circulation numbers were. Manson reported she was not sure.

Mayor Hogue asked Manson what the Official Newspaper meant. Manson replied from a staff standpoint the meaning is the requirement to publish legal notices; from the public perspective it is where you would look for news and information relating the city activities. Mayor Hogue asked how the City's relationship

was with the Wylie News. Manson replied that there was not a lot of interaction; periodically one of the staff members would call with a question but not a lot of communication.

Mayor Hogue asked Public Information Officer Kelly how the press releases are perceived by the Wylie News. Kelly stated that some are received and published while others are not published. Mayor Hogue asked which paper he had a better rapport with? Kelly replied the DMN NeighborsGo has been very good in covering a lot of the community information and printing photographs, which I believe people are interested in learning more about.

Councilwoman Culver noted there were discrepancies in the circulation numbers for the Wylie News.

Council Motion

A motion was made by Councilwoman Culver to adopt Resolution No. 2016-01(R) establishing the DMN NeighborsGo as the Official Newspaper for 2016. The motion died for lack of a second.

Council Action

A motion was made by Councilman Wintters, seconded by Councilwoman Arrington to adopt Resolution No. 2016-01(R) establishing the Wylie News as the Official Newspaper for 2016. A vote was taken and the motion passed 4-2-1 with Mayor Hogue, Mayor pro tem Stephens, Councilman Wintters, and Councilwoman Arrington voting for and Councilwoman Culver and Councilman Dahl voting against with Councilman Whitney abstaining. (Affidavit of Conflict of Interest on file).

Mayor Hogue asked Chad Engbrock, owner of the Wylie News, to work with staff to repair any relationship issues from the past. He stated that he believed the Wylie Newspaper should be the official newspaper but believed the two parties needed to work together.

Mayor Hogue asked the City Manager to place this item on another agenda for review in six months.

WORK SESSION

- **Discuss a potential multi-family mixed-use development on approximately 33 acres, generally located east of S.H. 78 and south of Alanis Drive. OM Housing.** *(R. Ollie, Development Services Director)*

Renae Ollie, Development Services Director, addressed Council stating that OM Housing (applicant) approached the City with a request to develop a mixed use center with senior housing and retail/commercial uses on approximately 33 acres located on the east side of S.H. 78 south of Alanis Drive, 15 acres currently zoned Multi-Family, with the remaining zoned Agriculture.

The proposed use will consist of approximately 140 units of senior housing on 8 acres, retail pads on 1.8 acres, retail strip center on 2.8 acres, and the balance being distributed between garden offices and townhomes. The applicant is also proposing 9.8 acres of parkland. There is a significant amount of flood plain.

The applicant states that the project cannot proceed without the Tax Credit funding, and to secure the funding, the project will require a resolution of support only and no local funding is

required. Pursuant to requirements set forth by the Texas Department of Housing and Community Affairs ("TDHCA"), a resolution of support is required as a firm commitment from the City. The project will be restricted to occupancy by Senior citizens of age 55 and older.

Deepak Sulakhe and Jason Lain, representing OM Housing, presented their proposal asking for a resolution in support of the project in order to apply for tax credits through TDHCA.

Mayor Hogue advised members of the Council to contact the City Manager directly if they wished to place a resolution on an upcoming agenda.

- **Update, discussion and direction regarding the December 16th NTMWD Member City Meeting on Board Governance.** *(M. Manson, City Manager)*

Mayor Hogue and City Manager Manson addressed Council stating that On December 16, 2015 a meeting was held for the NTMWD member cities that was attended generally by the Mayor, or other councilmembers, and the city manager of each city. The purpose of the meeting was to discuss the governance issue raised by some member cities who believe that their appointed members to the NTWMD Board of Directors serve at the will of the respective city councils. The Mayor reported it has been the position of the NTMWD based on their legal counsel and a prior Attorney General's opinion that the Board Members represent the cities but serve the District and are therefore not subject to replacement by the cities prior to the end of their term.

City Manager Manson reported cities were mixed in regard to the process for removal of board members and noted if the rules for appointment/dismissal were changed, it would more than likely take a legislative change in order to revise them.

RECONVENE INTO REGULAR SESSION


Mayor Hogue reconvened into Regular Session at 7:38 p.m.

ADJOURNMENT

A motion was made by Councilman Dahl, seconded by Mayor pro tem Stephens, to adjourn the meeting at 7:40 p.m. A vote was taken and the motion passed 7-0.

ATTEST:


Carole Ehrlich, City Secretary


Eric Hogue, Mayor

